## REMARKS

This Response to the non-final Office Action dated February 4, 2011. In the Office Action, claims 1 to 15, 17 to 19 and 21 to 28 are pending and rejected, with claims 16 and 20 having been previously cancelled. By this Response, claims 1, 15 and 24 have been amended. No new matter was added by these amendments. Support for these amendments is found at least at paragraph [0375] and Fig. 23 of U.S. Publication No. 2005/0065817. The Commissioner is hereby authorized to charge the Request for Continued Examination and any amounts deemed due to Deposit Account No. 02-1818.

In the Office Action: (a) claims 1 to 15, 17 to 19 and 21 to 28 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite; (b) claims 1 to 11, 13 to 15, 17 to 19, 21 and 23 to 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2002/0038392 to De La Huerga ("*De La Huerga*") in view of U.S. Publication No. 2002/0093537 to Bocioned ("*Bocioned*") further in view of U.S. Patent No. 6,360,211 to Anderson ("*Anderson*") and further in view of U.S. Patent No. 5,953,706 to Patel ("*Patel*"); (c) claims 12 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over *De La Huerga* in view of *Bocioned* and further in view of *Anderson* and *Patel* and further in view of U.S. Publication No. 2003/0105806 to Gayle et al. ("*Gayle*"); and (d) claim 27 was rejected under 35 U.S.C. 103(a) as being unpatentable over *De La Huerga* in view of *Bocioned* and further in view of *Anderson* and *Patel*.

Regarding the rejection of claims 1 to 15, 17 to 19 and 21 to 28 under 35 U.S.C. §112, second paragraph, as being indefinite, Applicants have removed the language "to be processed as a change in information, not as a replacement of existing information." Accordingly, Applicants respectfully request that this rejection be withdrawn.

Regarding the rejection of claims 1 to 11, 13 to 15, 17 to 19, 21 and 23 to 28 under 35 U.S.C. §103(a) as being unpatentable over *De La Huerga* in view of *Bocioned* further in view of *Anderson* and *Patel*, Applicants respectfully request that the rejection be withdrawn at least because: (i) Applicants' claim amendments herein render the rejection moot and (ii) one of ordinary skill in the art would not have been motivated to combine the cited references.

I.     **The Cited References Alone, or in Combination, do not Disclose Each and Every Element of the Amended Claims.**

Claim 1, for example, has been amended to indicate that the portable remote user interface is configured to display a patient interface screen including *a listing of multiple patients and for each of the patients, current care required for the patient*. Claims 15 and 24 have been similarly amended. This enables a clinician to obtain a quick and easy understanding of the status of and care required for each patient they are tending to. *See* U.S. Publication No. 2005/0065817 at ¶ [0375].

While *De la Huerga* discloses displaying patient information, *De la Huerga* only discloses showing information regarding an individual patient. *See De la Huerga* at ¶ [0205]. This method of displaying patient information lacks the conveniences of displaying a patient interface screen including *a listing of multiple patients and for each of the patients, current care required for the patient* – which enables clinicians to more efficiently monitor the treatment of different patients.

*Bocioned* discloses a display including a list of patients, but does not disclose the display as indicating the current care required for each patient. *Anderson* is generally directed to a system and method for processing *invoice information* and simply discloses new information being "copied to intermediary database 66." (*See Anderson*, column 7, lines 40 to 48). *Patel* is generally directed to a *transportation network* system and method which integrates communications and data transmission requirements for ground transportation service providers into a single, centrally controlled network and simply discloses status information, such as flight information, being "communicated" and all databases being "synchronized with the identical information." (*See Patel*, column 6, lines 55-63). Neither *Anderson* nor *Patel* remedy these deficiencies in *De la Huerga* and *Bocionad*.

For at least these and the above reasons, Applicants respectfully submit that claims 1 to 11, 13 to 15, 17 to 19, 21 and 23 to 28 are patentable over *De La Huerga, Bocioned, Anderson* and *Patel* and in condition for allowance.

**II.    One of Ordinary Skill in the Art would not have been Motivated to Combine Anderson and Patel with the Other Cited References.**

The Office Action relies on a combination of four references, three of which are not in the medical field, to allegedly arrive at the claimed invention. Applicants respectfully maintain that one of ordinary skill in the art would not have been motivated to combine *Anderson* and *Patel* with *De La Huerga and Bocioned*.

*De La Huerga* teaches a first central computer, a user interface, and a pump unit as part of one single "pump" 100. The Office Action also cites FIGS. 26A and 31 of *De La Huerga*, as evidence against the claims, asserting that element 622 serves as first central computer that communicates with a second computer 630. *Bocioned* is simply cited as a back-up to *De la Huerga* for its disclosure of a portable remote user interface which is connected to a server in communication with an intravenous pump. (*See* Office Action, page 6). The Office Action concedes that *De La Huerga* does not disclose memory 622 being synchronized with data in memory of element 630 at designated time intervals, or critical information changing causing that information to be immediately relayed to communications device 620, citing *Anderson* and *Patel* to allegedly cure this deficiency. *See* Office Action, pages 6-7.

*Anderson* is generally directed to a system and method for processing *invoice information* in which billing data is communicated from a first site to a second site. Page 6 of the Office Action asserts that *Anderson* discloses "synchronizing databases on a periodic basis" at column 7, lines 40 to 48:

> *Customer-specific information* stored in intermediary database 66 is synchronized with the information stored in a corresponding customer database 86 on a periodic basis, e.g., on a daily basis. In other words, new information stored in *customer database 86* is copied to intermediary database 66, and new information stored in intermediary database 66 is copied to *customer database 86*. Synchronization can be accomplished by any of several well-known methods. (Emphasis added).

*Patel* is generally directed to a *transportation network* system and method which integrates communications and data transmission requirements for ground transportation service providers into a single, centrally controlled network. Specifically, the network distributes reservations data and other travel-related information between ground service providers. Page 7

of the Office Action asserts that Patel discloses "synchronizing databases immediately and automatically with any change in information at column 6, lines 55-63:

> Any change in information communicated to the *TN system* 1, either from the New York site 3, the Los Angeles site 6, or an internal status update (e.g., from the OAG/RLM *flight information* database) is immediately and automatically communicated to various sites and all the databases at the various sites are synchronized with the identical information. (Emphasis added).

*Anderson* relates to a billing/invoicing network and *Patel* relates to a ground transportation network. None of these references are in the medical field. One of ordinary skill in the art at the time of the invention evaluating the best way to accommodate validated and non-validated information in a medical information system would have had no reason to look to the above non-analogous references. Applicants' field of endeavor is specific to an FDA-compliant medical system.
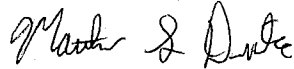
The separation of information in the claimed medical setting has inventive significance. As explained at ¶ [0108] of U.S. Publication No. 2005/0065817, "in one embodiment, a cost-effective integration of medical devices 120 or other devices and functionality with the hospital information systems in the first and second central computers 109, 108a is provided by isolating a subset of the total data mentioned above, such as patient safety-specific information, and locating such information and functionality in a validated/verified part of the system. In this context, *an FDA regulatory context*, verified means providing objective evidence that all requirements are tested and validated means providing objective evidence that the product meets customer needs." (Emphasis added). By localizing a subset of the database, such as the *patient safety-specific data* at the first central computer, at least the cost of system development is further optimized, and integration with third-party non-validated systems and the respective data and information therein is made more time and cost effective. *Anderson* and *Patel* have nothing to do with FDA-compliant validated/verified sub-systems, patient safety or the medical field in general.

Regarding the rejection of claims 12 and 22 under 35 U.S.C. §103(a) as being unpatentable over *De La Huerga* in view of *Bocioned* and further in view of *Anderson* and *Patel* and further in view of *Gayle*, and claim 27 under 35 U.S.C. 103(a) as being unpatentable over *De La Huerga* in view of *Bocioned* and further in view of *Anderson* and *Patel*, Applicants

respectfully submit that the patentability of these claims flows from the patentability of the above-discussed independent claims.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same. If the Examiner wishes to discuss the claims as amended herein or has any questions regarding this Response, Applicants encourage the Examiner to contact the undersigned by telephone.

Respectfully submitted,
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